

REMARKS

Claims 1-6 are pending and stand rejected under 35 U.S.C. 103(a) as being unpatentable over Park U.S. Patent No. 6,049,513 in view of Worthington et al. 7,061,594.

Claim 1 is amended to recite at line 6, “...direction, thereby intentionally creating a pseudo state resembling a state in which the tracking servo is being actually engaged so as to obtain an HF signal in such state.”

This limitation is supported on line 31, page 2 to line 5, page 3; lines 1 to 5 of page 4, lines 14-16 of page 5; and lines 20-24 of page 6 of the specification. In the present invention, no tracking servo feature is compensated by driving an actuator of an optical pick-up so that a laser beam projected from the optical pick-up is moved in a tracking direction, thereby intentionally creating the pseudo state resembling a state in which tracking servo is being actually engaged. By using the thus-obtained HF signal, an optimum focus bias is determined. Therefore, it is possible to carry out a focus bias adjustment without experiencing a trouble in that tracking servo is dislocated during the adjustment due to enlargement of a spot diameter of a laser beam which was likely to occur in the adjustment process in the conventional method.

Park and Worthington et al. do not teach or suggest this feature. In particular, in Worthington, to control or monitor the focusing offset without the tracking function is carried out to allow the user to control the heating, which is completely different from the present invention.

Accordingly, claim 1 should be allowable, as should dependent claims 2-6.

New independent claim 7 is added, which corresponds to claim 1 plus claims 2 and 3.

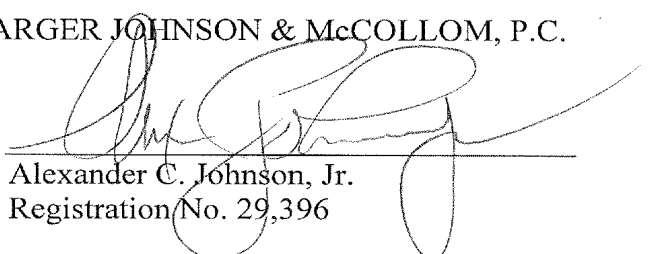
In view of the foregoing amendments and remarks, applicant believes the application should be in condition for allowance. If any questions remain, the Examiner is requested to call the undersigned.

Respectfully submitted,

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